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TRANSMITTAL FORM <i>(to be used for all correspondence during pendency of filed application)</i>		Application Number	10/618,140
		Filing Date	July 10, 2003
		First Named Inventor	Albert K. Chin
		Group Art Unit Number	3731
		Examiner Name	Not Yet Known
Total Number of Pages in This Submission	13*	Attorney Docket Number	23488-07931

ENCLOSURES (check all that apply)	
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REMARKS: *Page count does not include cited references.

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Signature:		
Attorney/Reg. No.:	Albert C. Smith, Reg. No. 20,355	Dated: 4/20/05

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Albert K. Chin
APPLICATION NO.: 10/618,140
FILING DATE: July 10, 2003
TITLE: Apparatus And Method For Endoscopic Encirclement Of
Pulmonary Veins For Epicardial Ablation
EXAMINER: Not Yet Known
GROUP ART UNIT: 3731
ATTY. DKT. NO.: 23488-07931



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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Under 37 CFR §§ 1.56 and 1.97-98

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO/SB/08A listing references for consideration by the Examiner.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

Concise explanations in accordance with the provisions of 37 CFR § 1.98 of the portions of the references not in the English language believed to be relevant are as follows:

B1 – The figure and associated text of this reference are believed to disclose an intravascular device for performing vascular surgery under endoscopic viewing.

B5 – Figure 2 and the associated written description are believed to disclose an endoscopic device for optically examining an orifice or cavity in a patient.

B8 – Figures 1 and 2 and the associated text of this reference are believed to disclose a surgical device on a flexible extension.

B9 – The figures and associated text of this reference are believed to disclose an endoscopic device for penetrating tissue in the leg of a patient.

C5 – Figures 1 and 5-7 and the associated written descriptions are believed to disclose subxiphoid access to the pericardium for penetration of the pericardium to install electrodes for an implantable pacemaker onto the myocardium.

This Information Disclosure Statement is being filed:

- ☒ within three months of the filing date of the application, or date of entry into the national stage of an international application, or before the mailing date of a first office action on the merits, whichever event last occurred;
- ☐ before the mailing of a first official action after the filing of a request for continued examination (RCE) under 37 CFR § 1.114;
- ☐ after three months of the filing date of this national application or the date of entry of the national stage in an international application, or after the mailing date of the first official action on the merits, whichever event last occurred, but before the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; or (2) an action that otherwise closes prosecution in the application, and:
 - ☐ attached hereto is the fee set forth under 37 CFR § 1.17(p) for submission of this Information Disclosure Statement under 37 CFR § 1.97(c); OR
 - ☐ Applicant certifies pursuant to 37 CFR § 1.97(e) that:
 - ☐ each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
 - ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement;

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- ☐ on or before the payment of the issue fee but after the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; (2) a notice of allowance under 37 CFR § 1.311; or (3) an action that otherwise closes prosecution in the application, and:
 - ☐ Applicant certifies pursuant to 37 CFR. § 1.97(e) that:
 - ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement;
 - ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement; AND
 - ☐ attached hereto is the fee set forth under 37 CFR §1.17(p) for submission of this Information Disclosure Statement under 37 CFR. § 1.97(c); OR
- ☐ after the payment of the issue fee. Applicant requests that the information contained in this Information Disclosure Statement be placed in the file according to 37 CFR § 1.97(i), although the information may not be considered by the USPTO.
- ☐ Enclosed is a copy of each listed reference that may be material to the examination of this application, and for which there may be a duty to disclose.
- ☐ This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application No. _____, filed on _____, and the references cited therein are hereby referenced, but are not required to be provided in this application under 37 CFR § 1.98(d).
- ☒ Copies of any foreign patent documents and non-patent literature cited herein are enclosed.
- ☐ Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not received by any individual designated in 37 CFR § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement. 37 CFR § 1.704(d).

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☒ Applicant submits that no fee is required for the consideration of this Information Disclosure Statement.

Consideration of the listed references and favorable action are solicited.

Respectfully submitted,
ALBERT K. CHIN

Dated: 4/28/05

By: AC Smith

Albert C. Smith, Reg. No.: 20,355

Fenwick & West LLP

Silicon Valley Center

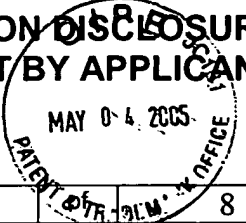
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Substitute for form 1449A/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT 		Application No.	10/618,140
		Filing Date	July 10, 2003
		First Named Inventor	Albert K. Chin
		Art Unit	3731
		Examiner Name	Not Yet Known
Attorney Docket Number	23488-07931		
Sheet	1	8	

U.S. PATENT DOCUMENTS				
Examiner Initials*	Cite No. ¹	Document No. Number – Kind Code ² (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	A1	US-6,706,052	03-16-2004	Chin
	A2	US-6,607,547	08-19-2003	Chin
	A3	US-6,569,082	05-27-2003	Chin
	A4	US 6,488,689	12-03-2002	Kaplan et al.
	A5	US-6,478,028	11-12-2002	Paolitto et al.
	A6	US-6,428,556	08-06-2002	Chin
	A7	US-6,322,536 B1	11/27/2001	Rosengart et al.
	A8	US-6,206,004	03-27-2001	Schmidt et al.
	A9	US-6,156,009	12-05-2000	Grabek
	A10	US-6,102,046	08/15/2000	Weinstein et al.
	A11	US-6,095,968	08-01-2000	Snyders
	A12	US-6,085,754	07-11-2000	Alfermess et al.
	A13	US-6,080,174	06-27-2000	Dubrul et al.
	A14	US-6,077,218	06-02-2000	Alfermess
	A15	US-6,039,748	03-21-2000	Savage et al.
	A16	US-6,036,714	03-14-2000	Chin
	A17	US-6,030,406	02-29-2000	Davis et al.
	A18	US-5,972,013	10-26-1999	Schmidt
	A19	US-5,972,010	10-26-1999	Taheri
	A20	US-5,957,880	09-28-1999	Igo et al.
	A21	US-5,957,835	09-28-1999	Anderson et al.
	A22	US-5,897,586	04-27-1999	Molina
	A23	US-5,860,997	01-19-1999	Bonutti
	A24	US-5,810,878	09/22/1998	Burel et al.
	A25	US-5,800,449	09/01/1998	Wales

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609.

Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Complete if Known	
				Application No.	10/618,140
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				First Named Inventor	Albert K. Chin
				Art Unit	3731
				Examiner Name	Not Yet Known
Sheet	2	of	8	Attorney Docket Number	23488-07931

U.S. PATENT DOCUMENTS				
Examiner Initials*	Cite No. ¹	Document No. Number – Kind Code ² (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	A26	US-5,797,946	08-25-1998	Chin
	A27	US-5,772,680	06-30-1998	Kieturakis et al.
	A28	US-5,762,604	06.09.1998	Kieturakis
	A29	US-5,738,628	04-14-1998	Sierocuk et al.
	A30	US-5,730,756	03-24-1998	Kieturakis
	A31	US-5,728,148	03-17-1998	Bostrom et al.
	A32	US-5,725,492	03-10-1998	Igo et al.
	A33	US-5,716,392	02-10-1998	Bourgeois et al.
	A34	US-5,707,390	01-13-1998	Bonutti
	A35	US-5,702,417	12-30-1997	Hermann
	A36	US-5,702,343	12-30-1997	Alfermess
	A37	US-5,695,504	12-09-1997	Gifford, III et al.
	A38	US-5,690,648	11-25-1997	Fogarty et al.
	A39	US-5,685,820	11-11-1997	Riek et al.
	A40	US-5,681,278	10-28-1997	Igo et al.
	A41	US-5,667,520	09-16-1997	Bonutti
	A42	US-5,653,726	08-05-1997	Kieturakis
	A43	US-5,653,722	07-1997	Kieturakis
	A44	US-5,650,447	07-22-1997	Keefer et al.
	A45	US-5,618,287	04-08-1997	Fogarty et al.
	A46	US-5,613,947	03-25-1997	Chin
	A47	US-5,613,937	03-25-1997	Garrison et al.
	A48	US-5,607,441	03-04-1997	Sierocuk et al.
	A49	US-5,601,589	02-11-1997	Fogarty et al.
	A50	US-5,601,576	02/11/1997	Garrison

Examiner Signature		Date Considered	
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Sheet	3	of	8	Attorney Docket Number	23488-07931

U.S. PATENT DOCUMENTS				
Examiner Initials*	Cite No. ¹	Document No. Number – Kind Code ² (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	A51	US-5,591,192	01-07-1997	Privitera et al.
	A52	US-5,569,292	10-29-1996	Scwemberger et al.
	A53	US-5,569,291	10-29-1996	Privitera et al.
	A54	US-5,551,947	09-03-1996	Kaali
	A55	US-5,540,711	07-30-1996	Kieturakis et al.
	A56	US-5,514,153	05-07-1996	Bonutti
	A57	US-5,496,345	03-05-1996	Kieturakis et al.
	A58	US-5,482,925	01-09-1996	Hutsell
	A59	US-5,464,447	11-07-1995	Fogarty et al.
	A60	US-5,385,156	01-31-1995	Oliva
	A61	US-5,376,076	12-27-1994	Kaali
	A62	US-5,373,840	12-20-1994	Knighton
	A63	US-5,339,801	08-23-1994	Poloyko et al.
	A64	US-5,334,150	08-02-1994	Kaali
	A65	US-5,331,975	07-26-1994	Bonutti
	A66	US-5,271,380	12-21-1993	Riek et al.
	A67	US-5,256,132	10-26-1993	Snyders
	A68	US-5,215,521	06-01-1993	Cochran et al.
	A69	US-5,183,464	02-02-1993	Dubrui et al.
	A70	US-5,163,949	11-1992	Bonutti
	A71	US-5,150,706	09-29-1992	Cox et al.
	A72	US-5,143,082	09-01-1992	Kindberg et al.
	A73	US-5,131,905	07-21-1992	Grooters
	A74	US-4,991,578	02-12-1991	Cohen
	A75	US-4,921,483	05-01-1990	Wijay et al.

Examiner Signature		Date Considered	
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				First Named Inventor	Albert K. Chin
				Art Unit	3731
				Examiner Name	Not Yet Known
Sheet	4	of	8	Attorney Docket Number	23488-07931

U.S. PATENT DOCUMENTS				
Examiner Initials*	Cite No. ¹	Document No. Number – Kind Code ² (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	A76	US-4,863,440	09-05-1989	Chin
	A77	US-4,784,133	11-15-1988	Mackin
	A78	US-4,779,611	10-25-1988	Grooters et al.
	A79	US-4,765,341	08-23-1988	Mower et al.
	A80	US-4,662,371	05-05-1987	Whipple et al.
	A81	US-4,630,609	12-23-1986	Chin
	A82	US-4,526,175	07-02-1985	Chin et al.
	A83	US-4,493,711	01-15-1985	
	A84	US-4,479,497	10-30-1984	Fogarty et al.
	A85	US-4,319,562	03-16-1982	Crosby
	A86	US-4,318,410	03-09-1982	Chin
	A87	US-4,291,707	09-29-1981	Heilman et al.
	A88	US-4,271,839	06-09-1981	Fogarty et al.
	A89	US-4,270,549	06-02-1981	Heilman
	A90	US-4,181,123	01-01-1980	Crosby
	A91	US-RE29,088	12-28-1976	Shaw
	A92	US-3,934,115	01-20-1976	Peterson
	A93	US-3,882,854	05-13-1975	Hulka et al.
	A94	US-3,870,048	03/11/1975	Yoon
	A95	US-3,856,016	12-24-1974	Davis
	A96	US-3,357,433	12-12-1967	Fourestier et al.
	A97	US-3,336,916	08-22-1967	Edlich
	A98	US-3,185,155	05-25-1965	Slaten et al.
	A99	US-2,944,552	07-12-1960	Cannon
	A100	US-2,868,206	01-13-1959	Stoesser

Examiner Signature		Date Considered	
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U.S. PATENT DOCUMENTS				
Examiner Initials*	Cite No. ¹	Document No. Number – Kind Code ² (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	A101	US-2,316,297	04-13-1943	Southerland et al.
	A102	US-2,028,635	01-21-1936	Wappler
	A103	US-2,011,169	08-13-1935	Wappler
	A104	US-1,867,624	07-19-1932	Hoffman
	A105	US-1,727,495	12-08-1926	Wappler
	A106	US-702,789	06-17-1902	Gibson
	A107	US-207,932	09-10-1878	Alvord

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ – Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T ⁶
	B1	DE 39 42 589	22.12.1989	Olympus Optical Co.	
	B2	EP 0791330 A2	08/27/1997	Cardiothoracic Systems, Inc.	
	B3	EP 0095727A1	12-07-1983	Purdue Research Foundation	
	B4	EP 0 642 764	13.09.1994	United States Surgical Corporation	
	B5	FR 1 370580	1962	Fourestier et al.	
	B6	GB 2 082 459	13.08.1981	Atrium Medical	
	B7	GB 2 195 540	18.09.1987	Anthony James Milne	
	B8	SU 510235	15.04.1976		
	B9	SU 1371689	20.03.1986		
	B10	WO 99/13936	03-25-1999	Comedicus Incorporated	
	B11	WO 99/13785	03-25-1999	Comedicus Incorporated	
	B12	WO 98/24488 A3	06-11-1998	Comedicus Incorporated	
	B13	WO 98/24488 A2	06-11-1998	Comedicus Incorporated	

Examiner Signature		Date Considered	
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	B14	WO 98/24378	06-11-1998	Comedicus Incorporated	
	B15	WO 96/32882	10/24/1996	Heartport, Inc.	
	B16	WO 96/00038	01-04-1996	Comedics Corp.	

OTHER REFERENCES – NON-PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published			T ⁶
	C1	BARTOCCIONI, S., et al., Laparoscopic Harvesting of Right Gastroepiploic Artery for Coronary Artery Bypass Graft Performed Without Sternotomy [online], [retrieved on 10-5-1999] Retrieved from the internet <URL:http://www.ctsnet.org/doc/2628			
	C2	BENETTI, Federico, et al., "Video Assisted Coronary Bypass Surgery", J Card Surgery, 1995, pp. 620-625			
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	C4	BROADMAN, R. et al., "ICD Implantation via Thoracoscopy, "Mailsot" Thoracotomy, and Subxiphoid Incision," <i>The Annals of Thoracic Surgery</i> , Vol. 57, No. 2, February 1994, pp. 475-476.			
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	C7	DE FEYTER, P.J. et al., "Permanent Cardiac Pacing with Sutureless Myocardial Electrodes: Experience in First One Hundred Patients," <i>PACE</i> , Vol 3, No. 2, March 1980, pp. 144-149.			
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application No.	10/618,140
				Filing Date	July 10, 2003
				First Named Inventor	Albert K. Chin
				Art Unit	3731
				Examiner Name	Not Yet Known
Sheet	7	of	8	Attorney Docket Number	23488-07931

OTHER REFERENCES – NON-PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ⁶	
	C12	GRANDJEAN, Jan G., et al., "Coronary Reoperation via Small Laparotomy Using Right Gastroepiploic Artery Without CPB", Society of Thoracic Surgeons, 1996, pp.		
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	C20	PRAGER, Richard L., et al., "The Subxiphoid Approach to Pericardial Disease", The Annals of Thoracic Surgery, Vol. 34, No. 1, July 1982		
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	C29	The 4 th International Symposium on Intrapericardial Therapeutics and Diagnostics, March 6, 1999, New Orleans, Louisiana	
	C30	WATKINS, Jr., L., M.D. et al., "Implantation of the Automatic Defibrillator: The Subxiphoid Approach," <i>The Annals of Thoracic Surgery</i> , Vol. 34, No. 5, November 1982, pp. 515-520	
	C31	WHEATLEY, D.J., M.D., ed., "Surgery of Coronary Artery Disease", C.V. Mosby Company, pp. 348-349, pp. 374-375	
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